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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,507	02/22/2002	Mansukhbhai Ambabhai Jagani	SRS-001 (8773/1)	9969
21323	7590	06/21/2004	EXAMINER	
TESTA, HURWITZ & THIBEAULT, LLP HIGH STREET TOWER 125 HIGH STREET BOSTON, MA 02110			NOVOSAD, CHRISTOPHER J	
			ART UNIT	PAPER NUMBER
			3671	

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,507

Applicant(s)

JAGANI, MANSUKHBHAI
AMBABHAI

Examiner

Christopher J. Novosad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,7,8 and 18-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5, 7 and 21 is/are rejected.
- 7) ☒ Claim(s) 4 and 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 3 and 6 have been canceled.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Leone, Sr.

With respect to claim 1, Leone, Sr. show an agricultural system comprising a motorcycle drive unit (engine, unnumbered; output shaft, not shown; col. 3, line 19; sprocket, unnumbered, col. 3, line 19; drive chain 14) and a tool assembly 16, wherein a rear wheel of the motorcycle drive unit (engine, unnumbered; output shaft, not shown; col. 3, line 19; sprocket, unnumbered, col. 3, line 19; drive chain 14) is removed (col. 3, line 24) and the motorcycle drive unit (engine, unnumbered; output shaft, not shown; col. 3, line 19; sprocket, unnumbered, col. 3, line 19; drive chain 14) is attached to the tool assembly 16 and wherein the tool assembly 16 is removable from the motorcycle drive unit (engine, unnumbered; output shaft, not shown; col. 3, line 19; sprocket, unnumbered, col. 3, line 19; drive chain 14) for re-attachment of the rear wheel to the motorcycle drive unit (engine, unnumbered; output shaft, not shown; col. 3, line 19; sprocket, unnumbered, col. 3, line 19; drive chain 14). The recitation "capable for use in farming" in the last line of claim 1 is functional and has not been given weight.

As to claim 21, it is considered that the tool assembly 16, being a dynamometer, would inherently provide resistance and would therefore inherently function as a "braking" system.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyakoshi in view of Leone, Sr.

With respect to claim 1, Miyakoshi shows an agricultural system (col. 9, lines 46-49) comprising:

a motorcycle drive unit 10 (Fig. 2) and a tool assembly 460 (Figs. 13 and 14); a rear wheel 2. The motorcycle drive unit 10 (Fig. 2) is attached to the tool assembly 460 (Fig. 13 and 14) and the tool assembly 460 (Figs. 13 and 14) is removable from the motorcycle drive unit 10 (Fig. 2), the agricultural system (col. 9, lines 46-49) capable for use in farming.

As to claim 5, the tool assembly 460 (Figs. 13 and 14) further comprises a multi-purpose tool bar 1e,1f,1g for securing at least one of a cultivator, a seed drill, and a sprayer kit (note col. 9, lines 46-48).

With respect to claim 7, the tool assembly 460 (Figs. 13 and 14) further comprises a lifting mechanism 473,473a (Fig. 13; note col. 10, line 43 regarding "lift arms 473").

Regarding claim 1, while Miyakoshi shows a rear wheel 2, Miyakoshi fails to **explicitly** show a rear wheel that is **removed** from the drive unit.

Leone, Sr. disclose that the "rear wheel of the motorcycle is removed" in col. 3, line 24.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the rear wheel 2 removable from the motorcycle drive unit 10 (Fig. 2) to allow for repairs or to allow for connection of the drive unit 10 to a dynamometer.

In any event, the removal of a rear wheel from a motor vehicle is notoriously old in the art for the reason noted.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyakoshi in view of Leone, Sr. as applied to claims 1, 5 and 7 above, and further in view of Hebert.

Miyakoshi shows the agricultural system as noted. The tool assembly further comprises a structural chassis 1 suitable for attachment of farm implements (460 or note col. 9, lines 46-49).

Claim 2 distinguishes over Miyakoshi in requiring the structural chassis to be adapted to be mounted on an axle having first and second ends, and in requiring the structural chassis to be at least partially supported on first and second wheels coupled to the first and second ends of the axle.

Hebert shows an axle 12 (Fig. 2) or 23 (Fig. 5) having first and second ends (unnumbered), the structural chassis at least partially supported on first and second wheels B^1 , unnumbered (Fig. 2) and B^2, B^1 (Fig. 5) at ends of an axle 12 (Fig. 2) or 23 (Fig. 5), respectively.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have disposed the wheels (unnumbered) in Fig. 10 of Miyakoshi at opposite ends of an axle as shown in Hebert for operational simplicity and greater structural integrity and greater stability than would be present if the wheel were to be mounted directly to the chassis 1.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyakoshi in view of Leone, Sr., Bobard and Hebert.

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With respect to claim 8, Miyakoshi shows an agricultural system (col. 9, lines 46-49) for use in farming comprising:

- a motorcycle drive unit 10 (Fig. 2); a rear wheel 2.

- a tool assembly 460 (Figs. 13 and 14) attached to the motorcycle drive unit 10 (Fig. 2);

- the tool assembly 460 (Figs. 13 and 14) comprising a structural chassis 1;

- a first wheel (unnumbered; Fig. 10);

- a second wheel (unnumbered; Fig. 10);

- a transmission unit 12 (Fig. 3) comprising a differential gear box 16 (Fig. 3) disposed between said first and second wheels;

- a multi-purpose tool bar 1e, 1f, 1g for at least one of a cultivator, a seed drill, and a sprayer kit (col. 9, lines 46-49) mounted on the structural chassis 1.

Miyakoshi appears to show a braking system (unnumbered; levers adjacent 22 in Fig. 1) indirectly connected to at least one of the first or second wheels.

Miyakoshi also shows a lifting mechanism 473, 473a (Fig. 13); note col. 10, line 43 regarding "lift arms 473".

Regarding claim 8, while Miyakoshi shows a rear wheel 2, Miyakoshi fails to **explicitly** show a rear wheel that is **removed** from the drive unit.

Leone, Sr. disclose that the "rear wheel of the motorcycle is removed" in col. 3, line 24.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the rear wheel 2 removable from the motorcycle drive unit 10 (Fig. 2) to allow for repairs or to allow for connection of the drive unit 10 to a dynamometer.

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In any event, the removal of a rear wheel from a motor vehicle is notoriously old in the art for the reason noted.

Regarding claim 8, while Miyakoshi shows the tool assembly 460 (Figs. 13 and 14) that appears to comprise a braking system (unnumbered; lever adjacent 22 in Fig. 1), Miyakoshi fails to **explicitly** show a braking system.

Bobard shows a motorcycle (Figs. 1 and 2) and discloses a "brake disc 25" in col. 3, line 27.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized a braking system as disclosed in Bobard in the vehicle of Miyakoshi (which fails to **explicitly** disclose a braking system but appears to show a braking system as noted) to allow an operator to stop the vehicle. In any event, the use of a braking system on a motor vehicle is notoriously old in the art for the reason noted.

While Miyakoshi implies that an axle is present for first and second wheels (unnumbered in Fig. 10), Miyakoshi fails to **explicitly** show an axle. Therefore, the claims distinguish over Miyakoshi in requiring the first and second wheels to be disposed at first and second ends, respectively of an axle.

Hebert shows first and second wheels B^1 , unnumbered (Fig. 2) and B^3, B^1 (Fig. 5) at ends of an axle 12 (Fig. 2) or 23 (Fig. 5), respectively.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have disposed the wheels (unnumbered) in Fig. 10 of Miyakoshi at opposite ends of an

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axle as shown in Hebert for operational simplicity and greater structural integrity and greater stability than would be present if the wheel were to be mounted directly to the chassis 1.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyakoshi in view of Leone, Sr. as applied to claims 1-5 and 7 above, and further in view of Bobard.

Miyakoshi shows the system as noted.

Regarding claim 21, while Miyakoshi shows the tool assembly 460 (Figs. 13 and 14) that appears to comprise a braking system (unnumbered; lever adjacent 22 in Fig. 1), Miyakoshi fails to **explicitly** show a braking system.

Bobard shows a motorcycle (Figs. 1 and 2) and discloses a "brake disc 25" in col. 3, line 27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized a braking system as disclosed in Bobard in the vehicle of Miyakoshi (which fails to **explicitly** disclose a braking system but appears to show a braking system as noted) to allow an operator to stop the vehicle. In any event, the use of a braking system on a motor vehicle is **notoriously** old in the art for the reason noted.

Allowable Subject Matter

Claims 4 and 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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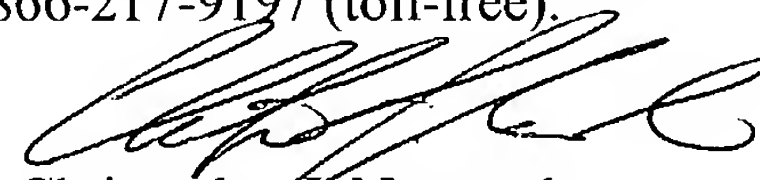
Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive. The claims do not require the tool assembly to be attached in place of the rear wheel. The claims merely allow for the rear wheel to be removed and for a tool assembly to be attached. The tool assembly does not have to be attached in the same place as where the rear wheel previously was, nor do the claims preclude a rear wheel being attached simultaneously with a tool assembly and with one or the other being removed or removable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Novosad whose telephone number is 703-308-2246. The examiner can normally be reached on Monday-Thursday 5:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached at 703-308-3870. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Christopher J. Novosad
Primary Examiner
Art Unit 3671

June 14, 2004